

EXHIBIT 2

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

The State of Texas, *et al.*,
Plaintiffs,
v.
Joseph R. Biden, Jr., President of the
United States, *et al.*,
Defendants.

DECLARATION OF LATOYA MORGAN

I, LaToya Morgan, pursuant to 28 U.S.C. § 1746, and based upon my personal knowledge and information made known to me from official records and reasonably relied upon in the course of my employment, hereby declare as follows:

1. I am the Acting Director (Supervisory Customs and Border Protection Officer) for the CBP STAT Division within Operations Support, U.S. Customs and Border Protection (CBP), Department of Homeland Security, where I manage CBP STAT's creation and delivery of high-level analysis and reporting into CBP's immigration and seizure data.
2. Previously, I served as the Acting Deputy Director of the CBP STAT Division since November 2020 until April 28, 2021. I have also served as a Supervisory CBP Officer with the National Targeting Center's Analytic Management Systems Control Office.
3. CBP STAT provides CBP senior leadership with aggregate statistics related to alien apprehensions, inadmissible aliens, drug seizures, use of force and assault data, in the form of both recurring and ad hoc reports. In my role as the Acting Director of CBP

STAT, I supervise a team that runs reports of, and retrieve data from, CBP's electronic systems of records, including Border Patrol's e3 system and OFO's Unified Secondary (USEC) systems. I have general familiarity with USEC, and e3 and their capabilities.

4. I am familiar with this Court's August 13, 2021 opinion and order imposing reporting requirements to ensure compliance with the preliminary injunction. I am also familiar with this Court's November 18, 2021 order modifying and adding to those reporting requirements.
5. The number of noncitizens paroled or released into the United States by CBP based on DHS's lack of detention capacity is not a reliable data point in CBP's electronic systems of records. CBP's data processes do not accurately capture release or parole data uniformly. Therefore, producing that data from January 2021 to the present would be unreliable.
6. This declaration is based upon my personal and professional knowledge, information obtained from other individuals employed by CBP, and information obtained from various records and systems maintained by DHS. I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed this second day of December, 2021.

LaToya Morgan

LaToya Morgan
Acting Director, CBP STAT
Operations Support
U.S. Customs and Border Protection